

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:-

THE HONOURABLE THE CHIEF JUSTICE MR.V.K.BALI
&
THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 23RD NOVEMBER 2006 / 2ND AGRAHAYANA 1928

W.A.No.1215 of 2006(B)

AGAINST THE JUDGEMENT IN O.P.12189/2001 DATED 29/03/2006
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APPELLANT: RESPONDENT NO.5 IN O.P.:-

M.K.MUHAMMED, S/O. KUNJAPPA BEARY,
BASARINADI, KUDALMERKARA P.O.,
KASARAGOD DISTRICT.

BY ADV. SRI.P.K.MUHAMMED.

RESPONDENTS: RESPONDENTS 1 TO 4 AND PETITIONER:-

1. STATE OF KERALA,
REP. BY THE SECRETARY, REVENUE DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.
2. LAND REVENUE COMMISSIONER,
THIRUVANANTHAPURAM.
3. REVENUE DIVISIONAL OFFICER,
KASARAGOD.
4. SPECIAL TAHASILDAR (L.A.),
MANJESWAR.
- * 5. MOHAMMED, S/O. USMAN,
KANAMBALLY HOUSE, HIDHYAT NAGAR,
UPPALA P.O., KASARAGOD (DIED, LEGAL HEIRS IMPLEADED)

* ADDITIONAL RESPONDENTS 6 TO 13 IMPLEADED:

ADDL.R6. BEEPATHIMA, W/O.LATE MOHAMMED, 58 YRS.,
KANNAMBATTY HOUSE, HIDAYATHNAGAR,
UPPALA.P.O., KASARAGOD.

ADDL.R7. USMAN, S/O.MOHAMMED, 32 YRS.,
KANNAMBATTY HOUSE, HIDAYATHNAGAR,
UPPALA.P.O., KASARAGOD.

ADDL.R8. BASHEER, S/O.MOHAMMED, 25 YEARS,
KANNAMBATTY HOUSE, HIDAYATHNAGAR,
UPPALA.P.O., KASARAGOD.

ADDL.R9. HAMEED, S/O. MOHAMMED, 23 YRS.,
KANNAMBATTY HOUSE, HIDAYATHNAGAR,
UPPALA.P.O., KASARAGOD.

ADDL.R10. MUNEEER, S/O.MOHAMMED, 21 YRS.,
KANNAMBATTY HOUSE, HIDAYATHNAGAR,
UPPALA.P.O., KASARAGOD.

ADDL.R11. AYSHA, W/O.MOHAMMED, 36 YRS.,
KANNAMBATTY HOUSE, HIDAYATHNAGAR,
UPPALA.P.O., KASARAGOD.

ADDL.R12. MARIYA, W/O.MOHAMMED, 34 YEARS,
KANNAMBATTY HOUSE, HIDAYATHNAGAR,
UPPALA.P.O., KASARAGOD.

ADDL.R13. SAFIYA, W/O. MOHAMMED, 28 YRS.,
KANNAMBATTY HOUSE, HIDAYATHNAGAR,
UPPALA.P.O., KASARAGOD.

* (ADDITIONAL RESPONDENTS 6 TO 13, WHO ARE LEGAL HEIRS
OF DECEASED 5TH RESPONDENT, ARE IMPEADED AS PER
ORDER ON I.A.No.1147 of 2006 DATED 23.11.2006).

R1 TO R4 BY GOVERNMENT PLEADER SRI.M.R.SABU.
R6 TO R13 BY ADV. SMT.I.SHEELA DEVI

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD
ON 23/11/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:-

**V.K.Bali,C.J. &
S.Siri Jagan,J.**

W.A.No.1215 of 2006-B & I.A.No.1147 of 2006

Dated, this the 23rd day of November, 2006

JUDGMENT

V.K.Bali,C.J. (Oral)

Counsel says that the Writ Appeal be dismissed as not pressed. Ordered accordingly. Impleading is allowed subject to all just exceptions.

V.K.Bali
Chief Justice

S.Siri Jagan
Judge

vku/-